

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED (I)

BENYNE GOLDSTON

Creditor/Objector

2015 APR 14 P 3:15

U.S. BANKRUPTCY COURT
E.D. MICH. Chapter 9

Case No. 13-53846

Magistrate Judge:

Thomas J. Tucker

v

In re

CITY OF DETROIT, MICHIGAN,
Debtor/Municipality

**RESPONSE TO NOTICE OF MOTION OF THE CITY OF DETROIT, PURSUANT TO
SECTIONS 105(a) AND 502(c) OF THE BANKRUPTCY CODE AND BANKRUPTCY
RULE 3021, TO BE INCLUDED FOR AN ORDER APPROVING RESERVE AMOUNT
FOR CERTAIN DISPUTED OR UNLIQUIDATED UNSECURED CLAIMS IN CONNEC-
TION WITH DISTRIBUTIONS TO BE MADE UNDER THE EIGHTH AMENDED PLAN
FOR THE ADJUSTMENT OF THE CITY OF DETROIT**

NOW COMES the above creditor/objector in this response object to
the document disguised as a notice, pursuant to Section 105(a) and 502(c) of
the bankruptcy code and bankruptcy rule 3021, to be included for an order for an
order approving reserve amount for certain disputed or unliquidated unsecured
claims in connection with distributions to be made under the Eighth Amended
Plan for the Adjustment of the city of Detroit and for the following reasons:(1)

(1)

1) The plan of adjustment was not published, nor Section 105(a) 502(c) or Bankruptcy Rule 3021 and did not issue any notices in compliance with 11 USC 923 and contravened the Bankruptcy procedures and process, therefore I want all money and anything of monetary value returned and/or refunded and any future money taken prohibited.

a) The Plan of Adjustment, confirmation of the plan and anything connected or stemming from the plan of Adjustment was not filed in good faith manner and has to complied with the Fed. R. of bankruptcy procedures 2002(f) and the code 11 USC 923 governing the notice. *Goldberg v. Kelly* 397 U.S. 254 (1970) citing *Armstrong v. Manzo*, U.S. 545, 552 (1965). There have been numerous objections to the violations of your way of so called notifying peoples in the following objections Docket Numbers: 8306, 8233, 8314, 8428,8310.

2) The plan of adjustment was not implemented by consent of the people and/or creditors and violated 11 USC 903, however since the city is moving forward we/I demand and accept a refund and Cost of Living Allowance (COLA) of all the funds deducted from my pension checks.

3) The State of Michigan through the emergency manager Kevyn Orr filed for bankruptcy under fraud disguised as the City of Detroit and contravened 11 USC 904 and owes the city money spent under false pretense. The State is required to pay or to fund any program that it create under the Michigan State Constitution.

4) We/I object further to this notice also because (1) the eight amended plan of adjustment never was voted on at all and any other plan or plans were not legally voted on and the union members were coerced to vote to accept the plan. (2)The plan only attempt was during the fourth or fifth amended plan of adjustment with counterfeit ballots your signature on one page and your vote on another and not a voting ballot in compliance with the Official Form 14 ballot.(3) The union members received material in a voting packages that had solicitation for a yes votes with a letter from Shirley Lightsey a representative of the retiree committee and Donald Taylor president of Detroit retiree, Police and Fire Fighters on the behalf of the board of directors and the Emergency Manager Kevyn Orr encouraging a Yes vote, therefore, a violation of the Michigan Election Statute (MCL 168.485) and thus due process and equal protection of the law violations of depriving and denying creditors Basic Civil Right 42 USC 1983 and due process of law of the 5th and 14th Amendments of the Constitution of the United States.

Sincerely submitted *Benyne Goldston*

Name BENYNE GOLDSTON

Address 17385 PARKSIDE

City, State, & Zip DETROIT, MI 48221

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED (1)

2015 APR 14 P 3:15

U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

Name

v

In re:
CITY OF DETROIT, MICHIGAN
AND EMERGENCY MANAGER
KEVYN D. ORR

Chapter 9
Case No. 13-53846
Magistrate judge:
Thomas J. Tucker

Debtor
_____/

PROOF OF SERVICE

Carl Williams, being first duly sworn deposes and
Say that on April 13 2015. I sent a copy of Response to Notice of motion of the
City of Detroit, pursuant to section 105(a) and 502 (c) of the bankruptcy code
and Rule 3021 to be included for order approving reserve amount for certain
disputed or unliquidated unsecured claims in connection with distributions to be
made under the Eighth amended plan of adjustment of the city of Detroit of
Magistrate Judge Thomas J Tucker, upon the concern parties by certified
mail at the following address:

Heather Lennox (OH 0059649
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114

I/We hereby certify that the statements made herein are true and correct to the best of my knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

Sign

Carol Williams